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September 14, 2007

Reference: 02120/6003184-000

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**VIA ECF**

The Honorable Gerard E. Lynch  
Daniel Patrick Moynihan  
United States Courthouse  
500 Pearl Street  
Room 910  
New York, New York 10007

Re: **County Curtains Mail Order, Inc. v. J.C. Penney Company, Inc.**  
**(1:07-cv-6290)**

Dear Judge Lynch:

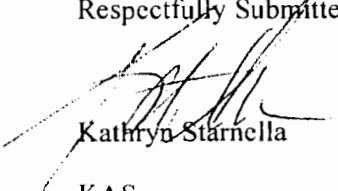
We represent Country Curtains Mail Order, Inc. in the above-referenced matter.

On August 10, we advised the Court that the parties had reached a settlement in principle. On August 16, you entered an Order dismissing the case without prejudice to restoring the action to the Court's calendar, provided the application to restore was made within thirty days of your Order.

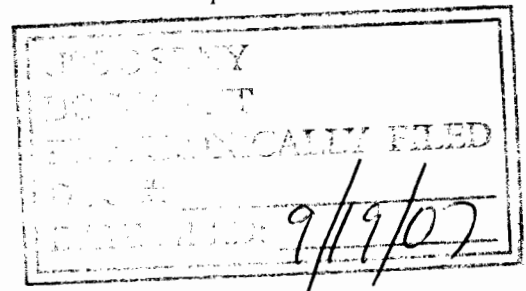
The thirty days expire on Monday. However, the Settlement Agreement is not yet final. Accordingly, we respectfully request that the Court extend the restoration ~~deadline another 30 days, up to and including October 17.~~ In the alternative, we request that the Court reinstate this case. 7\*

We have advised opposing counsel of our intention to submit this request.

Respectfully Submitted,

  
Kathryn Starnella

KAS



cc: J.C. Penney Company, Inc. (via e-mail)  
Andrew Baum, Esq. (via e-mail)

**\*SO ORDERED**

  
GERARD E. LYNCH, U.S.D.J.

9/17/07